

method for calculating a spectrum from a coupled signal comprising a target signal and an interference signal; and Group III, comprising claim 44, drawn to a method for calculating a reverberation coefficient from respective signal channels of a sensor array. Applicant respectfully traverses the above restriction requirement and submits that it is inappropriate.

Applicant notes that each and every one of the claims in the present application is directed to filtering received signals. For example, claims 1, 43 and 45 are more particularly directed to filtering signals, in part, by transforming signals into the frequency domain. Accordingly, the recitations of each of the independent claims as well as of the various dependent claims are so closely related as to make a restriction requirement inappropriate. For this reason, it is submitted that the restriction requirement is inappropriate and that all the claims in the present application should be examined together.

Applicant further notes that although the various claims recite different steps, this alone is an inadequate basis to render the methods defined by the claims appropriate for restriction. Additionally, the overwhelming majority of the search field for the identified groups is co-extensive. Although there might be specific search areas that are required for particular claims that are not required for the others, this alone is believed to be an inadequate and thus an inappropriate basis for requiring restriction.

Moreover, the restriction requirement set forth by the Examiner omits one of the two criteria for a proper restriction requirement now established by the U.S. Patent and Trademark Office policy. As set forth in M.P.E.P. § 803, an appropriate explanation must be set forth by the Examiner as to the existence of a “serious burden” if the

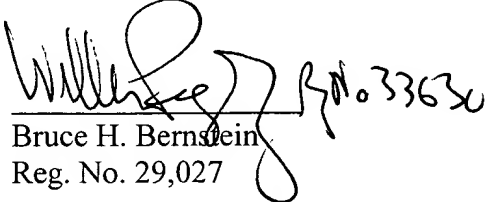
restriction requirement were not required. By virtue of the Examiner's requirement and since the claims of the various groups are so closely related, it is submitted that there is no serious burden on the Examiner in examining all these claims together. Furthermore, as noted above, the search for the claims includes a significant amount of overlap. Thus, additionally, no serious burden would come to bear on the Examiner.

For all of these reasons, and consistent with the office policy as set forth in M.P.E.P. § 803, Applicant respectfully requests that the Examiner reconsider the position taken in the above-mentioned Official Action and withdraw the restriction requirement in the present application. Accordingly, the Examiner's restriction requirement is believed to be improper and has been traversed for the reasons set forth above.

Nevertheless, in order to be fully responsive, Applicant has elected with traverse, the invention disclosed in Group I, comprising claims 1-42, 45 and 46, in the event that the Examiner chooses not to reconsider and withdraw the restriction requirement.

Should the Examiner have any questions, please contact the undersigned at the telephone number provided below.

Respectfully Submitted,
Siew Kok HUI


Bruce H. Bernstein
Reg. No. 29,027

November 9, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191